IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 20383 of 2007(B)

PETITIONER:

SREEKRISHNAN RUBBERS,
IDUKKUPARA, MUTHALAMADA, PALAKKAD DISTRICT,
RANJITH BOSE, PROPRIETOR, REPRESENTED BY
POWER OF ATTORNEY HOLDER MR. K.K.BOSE,
S/O. KRISHNAN, KOTTAPPURAM HOUSE, KALADY,
ALUVA TALUK.

BY ADV. SRI.T.O.XAVIER
SMT.P.K.RADHIKA

RESPONDENTS:

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1. THE ASSISTANT ENGINEER,
K.S.E.B., ELECTRICAL SECTION, MUTHALAMADA,
PALAKKAD DISTRICT.

2. K.S.E.B., PATTOM,
REPRESENTED BY SECRETARY.

BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.20383 of 2007

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Dated this the 4th day of July, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for KSEB. The petitioner is disputing various demands raised by KSEB total of which is Rs.2,55,222/- on the ground that the unit remained closed from 2005 onwards. Standing Counsel submitted that even if unit is not working, petitioner is liable to pay minimum guarantee. Supply is stated to be disconnected from July 2005 onwards. In the circumstances, I direct the petitioner to file appeal against Ext.P1 demand to the Deputy Chief Engineer, KSEB of the area, who will within one month from date of receipt of appeal consider the case, hear the petitioner and dispose of the appeal refixing liability. The Deputy Chief Engineer will be free to grant instalment facility to the petitioner to clear the arrears and impose conditions for restoring supply for restarting the industry. There will be direction to the respondents not to proceed for recovery of the amount for six weeks from now. Recovery thereafter will be based on orders of the Deputy Chief Engineer in the appeal.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms